



(1993); *United States v. Castor*, 937 F.2d 293, 296-97 (7th Cir. 1991). Further, it is a matter of public record that he pled to a reduced charge on June 27, 2011, thereby waiving any speedy trial claim.<sup>2</sup> *Tollett v. Henderson*, 411 U.S. 258 (1973).

Accordingly, the request to proceed *in forma pauperis* is granted, and this action is dismissed pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

Dated: August 5, 2011

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup>

See, *State of Ohio v. Morris*, Case No. CR 2011 0074,  
[www.co.allen.oh.us/commonpleas/ccom.php](http://www.co.allen.oh.us/commonpleas/ccom.php)